(c) The Government of UK has been approached to furnish details of the Indian kept in open jails as early as possible.

(d) Does not arise.

ब्रिटेन की जेलों में बंद भारतीयों की रिहाई के लिए बातचीत

$*249. **श्री प्यारे लाल खंडेलवाल:** क्या प्रधानमंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार को इस बात की जानकारी है कि ब्रिटेन की जेलों में अनेक भारतीय नागरिक बंद है;

(ख) यदि हां, तो क्या सरकार ने ब्रिटिश सरकार से इस संबंध में बातचीत की है; और

(ग) यदि हां, तो ब्रिटेन की जेलों में वर्तमान में कितने भारतीय नागरिक बंद हैं तथा किस-किस कारण से बंद है और तत्संबंधी ब्यौरा क्या है?

विदेश मंत्रालय में राज्य मंत्री (श्री ई॰ अहमद): (क) जी हां।

(ख) कैद/सज़ा सामान्यतया न्यायिक फैसले के आधार पर दी जाती है, इसलिए बातचीत के लिए गुंजाइश नहीं रहती है। तथापि, यू॰के॰ स्थित भारतीय मिशन/केन्द्र जब और जैसे आवश्यकता होती है, ब्रिटिश जेलों में बंद भारतीय कैदियो को कॉसली सहायक प्रदान करते हैं।

(ग) इस समय ब्रिटिश जेलों में 239 भारतीय हैं। यू॰के॰ की सरकार को भारतीय कैदियों के अपराधों का ब्यौरा यथाशीघ्र देने को कहा गया है।

Negotiations for release of Indians in British jails

$†*249. SHRI PYARELAL KHANDELWAL: Will the PRIME MINISTER be pleased to state:

(a) whether Government are aware of the fact that a number of Indian citizens are languishing in the British jails;

(b) if so, whether Government have negotiated with the British Government in this regard;

(c) if so, the number of Indian imprisoned in the prisons of Britain at present and the reasons for their imprisonment with details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMMED): (a) Yes, Sir.

(b) Imprisonments/sentences are generally meted out on the basis

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$तांराकित प्रश्न सं॰ 242 और 249 साथ-साथ लिए गए।

$Starred Question Nos. 242 and 249 were taken together.

† Original notice of the question was received in Hindi.

of judicial verdicts thereby providing little room for negotiations. However, the Indian Mission/Posts in the UK are given consular access to the Indian prisoners in British jails as and when required.

(c) There are at present 239 Indian lodged in British jails. The Government of the UK has been approached to furnish details of the crimes of Indian prisoners as early as possible.

MS. SUSHILA TIRIYA: Sir, my first supplementary is this. The Minister's reply says that the number of prisoners in British jails is 239. But, in different newspapers that I have read, the number of prisoners of Indian origin in British jails is 253. The reply says that they have been imprisoned for different cases like violence against persons, sexual offence and others. I just want to know from the hon. Minister whether he has any information about the kind of discrimination that is there against the prisoners of Indian origin. They have in prisons may be 239 or may be 253. After release from jails, they become more furious, they become more violent and get involved in more criminal activities. What is exactly the fact? After release from jails, they become more criminalised. Does the discrimination is international, or does the Government have any other fact? I want to know from the hon. Minister how many women are imprisoned in that kind of charges, especially in drug smuggling charges.

SHRI E. AHAMMED: Sir, the hon. Member has put a number of questions. Firstly, Sir, I would say, we have made enquiries with the British authorities as well as the British High Commission in New Delhi. The answer was that presently, there are only 239 prisoners and there is no increase as yet. In the matter of discrimination also, Sir, we have already approached the British authorities for the desired information. In the absence of information about the discrimination against Indians, I cannot say anything. Sir, I have no information about the number of female prisoners. if somebody is coming out after serving the term of imprisonment and is creating more violence, thereafter the Government of India will not be able to do anything in that matter.

MS. SUSHILA TIRIYA: Sir, I am sorry to note that the Government have no information about discrimination in Britain. They don't even allow Indians to perform rituals. Even in jails, hospitals and airlines, they have discriminated. In hospitals, they have given *halal* meat to the Muslims and *kosher* meat to the Jews, then, what about the vegetarian food to the

Indians? I would like to know whether the Minister has that kind of information. This is my second supplementary.

MR. CHAIRMAN: You are very much worried about vegetarian and non-vegetarian.

MS. SUSHILA TIRIYA: No, Sir, but that is also a sentimental issue. That is why I am raising it emotionally.

SHRI E. AHAMMED: There is no complaint about discrimination meted out to any Indian prisoner in Britain. If the hon. Member furnishes such details, we will definitely make an enquiry.

श्री मोती लाल वोरा: सभापति महोदय, मैं माननीय मंत्री जी से यह जानना चाहता हूं कि ब्रिटिश जेल में जो 239 भारतीय बंद हैं, वे कितने वर्षों से बंद हैं और माननीय मंत्री जी यह भी बताने की कृपा करें कि भारत सरकार ने इस संबंध में कब ब्रिटिश सरकार से संपर्क कर उनकी विस्तृत जानकारी मांगी है? महोदय, समाचार-पत्रों में लगातार समाचार प्रकाशित हो रहे हैं कि भारतीय कैदियों के साथ अमानवीय व्यवहार किया जा रहा है, लेकिन माननीय मंत्री जी ने कहा कि उनके साथ नहीं हो रहा है।

श्री सभापति: मंत्री जी ने अभी बताया है। मंत्री जी, जवाब दीजिए।

SHRI E. AHAMMED: Sir, I again repeat that there is no discrimination against the foreign prisoners including the Indian prisoners. That is the information that we have received. (*Interruptions*)

श्री मोती लाल वोरा: सर, मैं यह पूछ रहा हूं कि वे कब से बंद हैं? I am asking from the hon. Minister: Since what time these 239 prisoners are there in British jail?

SHRI E. AHAMMED: Sir, the verdict will be given by the court.

SHRI MOTILAL VORA: I am not asking about verdict.

MR. CHAIRMAN: He is not asking about the court.

SHRI MOTILAL VORA: I want to know since what time they have been in the British jail.

SHRI E. AHAMMED: Currently, they are undergoing imprisonment. Two hundred thirty nine people are undergoing imprisonment. The details of the offence and the term will be fixed after they will be convicted by the respective court. *(Interruptions).*

SHRI RAVI SHANKAR PRASAD: They are in jail without conviction.

SHRI E. AHAMMED: Sir, I don't have the information about these prisoners, whether they have pleaded. They have been undergoing imprisonment. We don't have any complaint received from anybody that they have been allowed to over-stay or they have not been released after serving the term.

MR. CHAIRMAN: Honourable Minister, you should have got full information about all that. I will allow the hon. Members to have a Half-an-Hour Discussion on this. *(Interruptions)*

SHRI E. AHAMMED: Sir, we will also supply whatever information we have. *(Interruptions)*

SHRI A. VIJAYARAGHAVAN: Sir, not only in the U.K., but in Gulf countries also.

SHRI N. JOTHI: Sir, there are people in Maldives also.

MR. CHAIRMAN: There are so many matters. You can raise them at that time.

श्री प्यारे लाल खंडेलवाल: माननीय सभापति जी, अभी माननीय मंत्री जी ने जवाब में यह कहा है कि जो 239 भारतीय ब्रिटिश जेलों में बंद हैं, वे डकैती, बलात्कार आदि अपराधों में बंद हैं। मुझे जो उत्तर मिला है, उसमें माननीय मंत्री जी ने कहा है कि यू.के. सरकार को भारतीय कैदियों के अपराधों का ब्यौरा यथाशीघ्र देने को कहा गया है। माननीय मंत्री जी, एक तो यह बताएं कि अपराधों का ब्यौरा जो उन्होंने सदन में बताया, वह है या नहीं आया है, यह एक बात है। दूसरी बात यह है कि इन 239 भारतीयों में अंडर ट्रायल कितने हैं और सजा कितने लोगों को हो गई है? महोदय, मैं ये दो बातें जानना चाहता हूं और यह मेरा पहला प्रश्न है।

SHRI E. AHAMMED: Sir, may I submit before this hon. House the details I have received about the prisoners who were involved in various offences? These are: violence against persons-59; sexual offences-23; robbery and burglary-6; fraud and forgery-33; violation of traffic rules-5; drug offences-7 and other offences-22. The other details, Sir, I will ascertain.....*(Interruptions)*...

श्री प्यारे लाल खंडेलवाल: यह भी तो आपका ही उत्तर है। यह भी तो आपका उत्तर है, हुजूर। आपने इसी में उत्तर दिया है कि यथाशीघ्र मांगा जा रहा है।

श्री सभापति: मैंने उन्हें बता दिया है कि इस उत्तर से काम नहीं चलेगा।

श्री प्यारेलाल खंडेलवाल: तो फिर किससे काम चलेगा?

SHRI E. AHAMMED: Sir, only now, I have given the details to him. ....*(Interruptions)*....Sir, I will ascertain the other details and submit to him.

श्री सभापतिः ठीक है।

PROF. P.J. KURIEN: Sir, the hon. Minister has already admitted.....*(Interruptions)*....

श्री प्यारे लाल खंडेलवालः मेरा दूसरा सवाल यह है कि माननीय मंत्री जी ने अपने उत्तर के एक भाग में मुझे बताया है, मैं उनसे यह पूछना चाहता हूं कि यथाशीघ्र देने के लिए, क्या कोई समय सीमा निर्धारित की गई है? क्या आप ब्रिटिश सरकार से बातचीत करेंगे कि जो अंडर ट्रॉयल्स हैं या तो उन्हें शीघ्र रिहा किया जाए या उन पर अपराध सिद्ध हो, इस संबंध में क्या आप ब्रिटिश सरकार से एक निश्चित समय सीमा में बात करेंगे?

SHRI E. AHAMMED: Sir, in the information, which we have received from them, they said, "The matters are before the court. The court will decide when they are to be released." But, for other details, Sir, we have approached the British Government; we are awaiting the details; I will submit the details to this House or to the hon. Member as and when they are received.

PROF. P.J. KURIEN: Sir, the hon. Minister has already admitted that some of these who are in jails are under trials, and some of them may be in jail before starting the trial also. Not only in England but in other countries also, especially the Gulf countries, a large number of Indians are in jails. Sir, my question is: Is the Government aware of the fact that many of such Indians, who are in jails, do not have the means to employ an advocate in those countries? Because employing an advocate in England, and also in the Gulf countries, is a very costly affair, and because their cases are not argued properly for lack of advocates in the court, they get punished. Simply because they are charge-sheeted does not mean that they are criminals. And just because their cases are not properly fought, they are in jail; it is not true. So, in such cases, will the Government of India give them the legal aid? Sir, will you take up this matter with the Embassy to give them the legal aid so that they can get good advocates and their cases can be properly fought in the courts?

SHRI E. AHAMMED: Sir, whenever such matters are brought to our notice or to the notice of our Mission/Posts, we interact and we try to get access to the prisoners through the authorities concerned of the respective Government. Whenever we get such information or as soon

as we receive any information, we start negotiating. We have 6,656 people now undergoing imprisonment in 43 countries. So, whoever approach our Mission or Post for any assistance, whatever assistance is available is provided to him.

PROF. P.J. KURIEN: No, no; that is not so. It is not the legal assistance. Employing an advocate, that is what I am asking for. ....*(Interruptions)*.... No, no; the point is not that. It is about employing an advocate. That is my point in question. About assistance, you have already answered. What do you say about employing an advocate?

SHRI E. AHAMMED: Sir, before the trial, and also in cases for making an appeal, whenever the Mission is approached, we provide the same. ....*(Interruptions)*....

SHRI RAVI SHANKAR PRASAD: Sir, the hon. Minister has just admitted that around 6000-odd Indians are in jails of different countries. Many Indians are also subjected to various kinds of harassment, which we keep on hearing about. You have a mechanism at the consular or ambassadorial level. My question is: Do you have any proper institutional mechanism to help Indians, living abroad, who face legal problems and harassment so that because of people of Indian origin, they are given proper help? What institutional mechanism do you have and what is the nature of implementation of those mechanisms?

SHRI E. AHAMMED: First, Sir, he has asked for the consular access to the prisoners through the respective Governments. Once we have an account of the access to the prisoners, we ask for what sort of help they require and whatever help is available or possible is provided to them. That is the in-built mechanism in our foreign missions.

SHRI RAVI SHANKAR PRASAD: Only consular access!

SHRI E. AHAMMED: First they will get consular access. After that only we know what the prisoner needs help from our mission side and it will be provided. If there is need for something more, they will consult with the headquarters here and we will also give the necessary instructions.

श्री अबू आसिम आज़मी: सभापति जी, मैं आपके माध्यम से मंत्री जी से पूछना चाहता हूं कि क्या सरकार ने हाल ही में प्रकाशित लेबर पार्टी की उस रिपोर्ट की ओर ध्यान दिया है, जिसमें यह उल्लेख किया गया है कि ब्रिटेन के अंदर रहने वाले भारतीयों ने कहा है कि हमें "एशियन"

न कहा जाए, बल्कि हमें ''ब्रिटिश इंडियन'' के नाम से पुकारा जाना चाहिए क्योंकि उनके साथ अच्छा बर्ताव नहीं हो रहा है। धर्म और संस्कृति के नाम पर उनको इतना सम्मान नहीं मिलता, जितना कि अन्य धर्म वालों को मिलता है, जैसे चीन और रशिया के लोगों को मिलता है। मैं मंत्री महोदय से जानना चाहता हूं कि क्या इस ओर आपने कुछ ध्यान दिया है?

†شری ابو عاصم اعظمی : سبھا پتی جی، میں آپ کے مادھیم سے منتری جی سے پوچھنا چاہتا ہوں کہ کیا سرکار نے حال ہی میں پرکاشت اوبر پارٹی کی اس رپورٹ کی اور دھیان دیا ہے، جس میں یہ الیکھ کیا گیا ہے کہ برطانیہ کے اندر رہنے والے بھارتیوں نے کہا ہے کہ ہمیں "ایشین" نہ کہا جائے، بلکہ ہمیں "برٹش انڈین" کے نام سے پکارا جانا چاہئے کیوں کہ ان کے ساتھ اچھا برتاؤ نہیں ہو رہا ہے۔ دھرم اور سنسکرتی کے نام پر ان کو اتنا سمّان نہیں ملتا، جتنا کہ دوسرے دھرم والوں کو ملتا ہے، جیسے چین اور رشیہ کے لوگوں کو ملتا ہے۔ میں منتری مہودے سے جاننا چاہتا ہوں کہ کیا اس اور آپ نے کچھ دھیان دیا ہے؟

SHRI E. AHAMMED: Sir, we don't have any record of discrimination. Whenever we get such things, we will take up the matter. I may be permitted to say one more thing that in the Gulf countries we are giving free legal assistance to these people.

श्री अबू आसिम आज़मी: सर, मेरे सवाल का तो इन्होंने जवाब ही नहीं दिया है।

†شری ابو عاصم اعظمی : سر، میرے سوال کا تو انہوں نے جواب ہی نہیں دیا ہے۔

*243. [The questioner (Shri Gandhi Azad) was absent. For answer *vide* page 49–51.]

*244. [The questioner (Shri Lalit Kishore Chaturvedi) was absent. For answer *vide* page 51-52.]

*245. [The questioner (Shri Dharam Pal Sabharwal) was absent. For answer *vide* page 52-53.]

†[ ]Transliteration of Urdu Script.